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**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

FRIENDS OF ALASKA NATIONAL
WILDLIFE REFUGES, *et al.*,

Plaintiffs,

v.

RYAN ZINKE, *et al.*,

Defendants,

and

KING COVE CORPORATION, *et al.*,

Intervenor-Defendants.

Case No. 3:18-cv-00029-TMB

**DECLARATION OF DANIEL
RITZMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

I, Daniel Ritzman, hereby declare as follows:

1. I am making this declaration in support of Plaintiffs' Motion for Summary Judgment in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

2. I have an undergraduate degree in environmental policy from the University of California, Davis, and a Masters in Science in Resource Recreation and Tourism from the

University of Idaho, School of Forestry. I have worked in the conservation community on Alaska issues since 1993.

3. I have been a member of the Sierra Club for eleven years. I am also a member of Defenders of Wildlife. I am a member of both the Sierra Club and Defenders of Wildlife because I count on them to keep me up to date on issues affecting the environment and to advocate to protect my interests. In particular, I look to these organizations to monitor conservation threats and to actively engage to prevent harm to the special landscapes in Alaska, especially places like the Izembek National Wildlife Refuge (Izembek).

4. I am the Director of the Lands, Water, and Wildlife Campaign for the Sierra Club. I have been with the Sierra Club for eleven years. In my current role with the Sierra Club, I direct four campaign staff and I serve as the primary Sierra Club policy and advocacy contact for issues related to defending our public lands, water, and wildlife. A significant, daily portion of my duties are related to our programs in Alaska. I am also a member of the Sierra Club.

5. As part of my daily work, I advocate for the protection and conservation of Izembek. In the 25 years that I have worked on issues related to Alaska, I have developed not only what I consider to be a deep knowledge of the issues, but also a great appreciation for the landscape — for the flora and fauna that it supports and the people who live and subsist off of the land.

6. Sierra Club is a national nonprofit organization with about 800,000 members dedicated to exploring, enjoying, and protecting the wild places of the earth; practicing and promoting the responsible use of the earth's ecosystems and resources; educating and enlisting humanity to protect and restore the quality of the natural and human environment; and using all lawful means to carry out these objectives. Sierra Club's interests encompass a wide range of

environmental issues, including wildlife conservation, wilderness preservation, public lands and waters protection, and the protection of clean air and water resources. Sierra Club members seek out Wilderness and wildlands for their scenery, wildlife, and solitude.

7. The Alaska Chapter of the Sierra Club has over 1,800 members. The Alaska Chapter includes three all-volunteer groups, whose members work to preserve and protect Alaska's resources, including the unique wilderness and wildlife resources of Izembek.

8. The Sierra Club has been actively involved in the protection of the unique wilderness and wildlife values of Alaskan ecosystems and habitats. The Sierra Club has invested significant organizational resources in public outreach, earned media, research, publications, and advocacy focusing on the threats to the fragile ecosystems from development activities.

9. One of the areas that the Sierra Club works to protect is Izembek and the designated Wilderness lands in Izembek. The Izembek Refuge and Wilderness are internationally important migratory bird habitat and the Sierra Club is committed to protecting critical habitat and defending Wilderness.

10. The Sierra Club seeks to ensure that there is no loss of critical wetland habitat and that the Izembek Wilderness remains intact. To achieve this, the Sierra Club engages its members and activists through grassroots activities to express their opinions to key decision makers. The Sierra Club has staff based in Washington, D.C. who engage with decision makers in the Administration and in Congress on these issues.

11. The Sierra Club has worked on Izembek for decades. The Sierra Club played a major role in advocating for the passage of the Alaska National Interests Lands Conservation Act (ANILCA), which established the Izembek National Wildlife Refuge and Izembek Wilderness. ANILCA also established legal requirements and procedural safeguards for future agency actions

that may threaten conservation system units and Wilderness in Alaska. Adhering to these provisions is critical to protect and safeguard Alaska's exceptional ecological and natural resources for the national public interest.

12. Since that time, the Sierra Club has defended Izembek from various threats through online and direct lobbying. These efforts included work on the 2009 Omnibus Public Lands Management Act (OPLMA), where we urged our members to contact their elected officials and request the removal of the Izembek provisions.

13. Currently, the Sierra Club uses grassroots lobbying and direct lobbying with agencies, the Administration, and Congress to advocate for the protection of Izembek and the Izembek Wilderness. The Sierra Club submitted comments on the draft Environmental Impact Statement for the proposed land exchange and road construction, encouraging the U.S. Fish & Wildlife Service to reject the proposal. We also sent an online alert to our members, which generated approximately 8,000 public comments. Further, Sierra Club participated as an Intervenor-Defendant in support of Secretary of Interior Sally Jewell's 2013 decision to not allow a land exchange, which was challenged and upheld in *Agdaagux Tribe of King Cove v. Jewell*.

14. Following an extensive public process and agency review, the Secretary rejected the potential road and declined to exchange the lands in 2013. Her decision was based on the significant and far-reaching impacts a road would have on the Refuge's internationally-recognized, unique, and irreplaceable resources. There was no environmental analysis or public process followed for the land exchange agreement signed by Secretary Zinke. If given the opportunity, I would have submitted comments during the NEPA process to inform this decision and highlight its negative environmental impacts, as would the Sierra Club. I firmly believe that

this proposed land swap and road through the Izembek National Wildlife Refuge remains as ill-advised as it was when first proposed.


15. Protection of Izembek and the Izembek Wilderness is important to me because it is critical habitat for the Pacific black brant. During the winter, I enjoy watching the brant as they migrate through the Puget Sound Region of western Washington State, where I live. I often hike and kayak with my family and watch the brant. I further enjoy watching the brant at their summer grounds in the western Arctic, particularly around Teshekpuk Lake, which I visit regularly.

16. If the land exchange and road construction occurred, I understand that any impacts to the habitat in Izembek will be detrimental to these birds and animals, and will harm my ability to enjoy them in other parts of their range. I have also been a long-time advocate for the protection of Wilderness, and will be harmed by any actions that weaken the permanent protections afforded by the Wilderness Act.

17. The Sierra Club is committed to Wilderness and to protecting critical wildlife habitat. A land exchange and a road through Izembek would harm the Sierra Club's mission and our members' interests specifically in Izembek, and more broadly in the preservation of our national wildlife refuges and Wilderness areas. Sierra Club also has a strong interest in defending any attempts to minimize the important protections contained in ANILCA. Allowing construction of a road via this land exchange agreement would violate ANILCA and set a dangerous precedent. Moreover, any road construction would damage key habitat, which will have harmful, negative impacts on the brant and other waterfowl that depend on the protected habitat. It is important for the Sierra Club to be able to protect these interests on behalf of our members.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2nd day of July, 2018 in Seattle, Washington.



Daniel Ritzman

CERTIFICATE OF SERVICE

I certify that on July 11, 2018, I caused a copy of DECLARATION OF DANIEL RITZMAN to be electronically filed with the Clerk of the Court for the U.S. District Court of Alaska using the CM/ECF system, which will send electronic notification of such filings to the attorneys of record in this case whom are registered with the CM/ECF system.

s/Brook Brisson
Brook Brisson